

## **CITY OF AUBURN**

### **FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS FOR ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF AUBURN GENERAL PLAN November 1993**

#### **I. FINDINGS OF FACT**

##### **A. GENERAL INFORMATION AND DESCRIPTION OF THE PROJECT.**

The proposed General Plan recommended by the Planning Commission and conceptually approved by the City Council on October 26, 1993 is an update of the City's prior General Plan which was originally prepared and adopted in 1979. The setting for the project, the City of Auburn contains approximately 7.5 square miles, while its sphere of influence contains 27.7 square miles. The General Plan contains the seven (7) elements required by state law, in addition to two (2) optional elements (an Economic Element and Historic Element). Each element contains goals, policies, and implementation measures related to each subject and all the necessary background information to support these directives.

The purpose of the General Plan is to guide existing and future land uses in and around the City. The project for purposes of the California Environment Quality Act (CEQA) is the proposed City General Plan under consideration, and does not include individual applications for land use

entitlement. The General Plan, which represents a long-term policy guide for the physical, economic and environmental growth of the City, is comprised of goals, policies, and implementation measures which are based on an assessment of current and future needs and available resources.

**B. THE RECORD**

For the purposes of CEQA and the findings hereinafter set forth, the record of the City Council relating to the project is comprised of the following:

1. The General Plan 1992-2012 Draft EIR, FEIR and Appendix.
2. All staff reports, memoranda, maps, letters, minutes and other documents prepared by City staff relating to the project.
3. All submittals, documents, reports, testimony and other evidence presented at the General Plan Citizen Advisory Committee meetings, Planning Commission and City Council hearings.
4. Matters of common knowledge to the City Council which it considered, including but not limited to, the following:
  - a. Transportation Evaluation Criteria
  - b. Earthquake Intensity Description
  - c. Soil Types of the Auburn Area
  - d. Vegetative Habitats of the Auburn Area
  - e. Wildlife Habitats of the Auburn Area

- f. Noise Analysis and Studies
- g. City of Auburn Draft Noise Control Ordinance
- h. General Plan Alternative Analysis Table
- i. General Plan Compatible Zone Districts
- j. Mineral Land Classification of the Auburn 15' Quadrangle, El Dorado and Placer Counties, California. 1984.
- k. City of Auburn Historical Resources Inventory (CAHRI)
- l. Dairy Road Drainage Study
- m. Oldtown Drainage Study
- n. Congestion Management Plan (Draft)
- o. Source Reduction and Recycling Element
- p. Placer County Schools Present/Future Facility Needs
- q. Auburn Airport Master Plan
- r. Auburn Airport Comprehensive Land Use Plan (CLUP)
- s. Auburn Wastewater Treatment Plant Master Plan
- t. Stormwater Management Manual
- u. Auburn Recreation District Master Plan (Draft)
- v. Auburn Urban Development Authority Redevelopment Plan
- w. Auburn Ravine Trail Master Plan
- x. The City of Auburn Zoning Ordinance and District Map
- y. The City of Auburn Municipal Code

z. The City of Auburn Budget, FY 1990-1991

C. **ALTERNATIVES**

1. Description of Alternatives

In order to evaluate a range of possible environmental impacts from urban development within the project area, the City prepared six general plan land use alternatives. Each alternative was evaluated in the draft EIR and final EIR, also referred to collectively as the EIR in this document. The EIR was based on a planning horizon of twenty years (1992-2012) for needs assessment and financial planning. The impacts of the identified land use alternatives were evaluated for build-out under each h plan, and not necessarily within the same time-frame (DEIR Table 15-1, page 15-3). The main objective of the EIR was to identify and analyze the environmental impacts which would be likely to result from future growth in the City of Auburn under each of the alternatives being considered. The six alternatives examined in the EIR are described on pages 15-51 through 15-76 of the DEIR and can be summarized as follows:

**a. No Project/No Development**

The No Project/No Development Alternative provides a base condition with which to compare the development-entailing alternatives; it assumes that no development occurs beyond that which was tabulated as existing in 1992 (Draft Auburn General Plan, p. IV-9) with a City population of 10,615.

**b. No Project/Existing Plan**

This alternative would be realized if the City took no action on the proposed General Plan - it is truly a No Project alternative because the 1978 Auburn Area, Bowman, and Ophir Plans would remain in effect if no action was taken. City population of 24,264; sphere population of 20,829 for a total population of 45,093.

**c. Alternative 1**

This alternative was prepared by the City during the General Plan formulation. Within the Sphere of Influence, larger lot sizes are proposed in many areas than under the other alternatives and the proposed Plan. Within City limits, this alternative is generally consistent with the proposed Plan, though a slightly lower population would result. City

population of 20,800; sphere population of 20,400, total population of 41,200.

**d. Alternative 2**

This alternative provides for essentially the same population within City limits as Alternative #1. Overall, the total population possible within the City and the Sphere is closest to the proposed Plan of all the alternatives 49,000 vs 51,128 under the proposed Plan). However, increased densities are allowed within the Sphere of Influence. City population of 20,700; sphere population of 28,300, total population of 49,000.

**e. Alternative 3**

This alternative is similar to Alternative 2 in the Sphere of Influence but adds additional density within existing City limits. City population of 26,000; sphere population of 31,400, total population of 57,400.

**f. Alternative 4**

Mitigated Design. This alternative addresses the significant, unmitigable Plan impact related to potential pollution of Rock Creek Reservoir by deleting all urban uses in this area. Other significant, unmitigable impacts

addressed are loss of oak woodland and wildlife habitat. Lower densities are recommended in some areas to reduce these impacts, though cumulative impacts are still expected to be unmitigable. Figure 15-8 calls out the areas which would be revised under this alternative. City population of 20,689; County population of 34,412, total population of 55,101.

**g. Alternative 5**

No additions to sphere of influence. This alternative assumes no additions to the City's sphere of influence; proposed county land use designations would guide these areas. The overall population holding capacity of these additional areas would total approximately 916 persons under the City Plan vs the County Plan. City population of 19,096; sphere population of 18,262, total population 37,358.

**h. Alternative 6**

County Land Designations in Existing and Proposed Sphere of Influence. This alternative assumes no annexations to the City and thus use of County land use designations throughout the entire existing

and proposed Sphere of Influence. City population of 19,096; sphere population of 32,114, total population 51,210.

2. Comparison of Preferred Land Use Plan Alternative and Other Alternatives Analyzed in EIR.

The land uses depicted in the preferred alternative General Plan, which was conceptually approved by the City Council on October 26, 1993 differ in various ways from those shown in the other six alternative land use plans analyzed in the EIR. The preferred alternative is a combination of the Citizens Advisory Committee proposed plan and Alternative 4, Mitigated Design. The Planning Commission recommended and the City Council concurred with majority of revisions included in Alternative 4, Migated Design. The draft Land Use Diagram generally provides for the following build-out scenario:

- Residential infilling will take place generally in low and moderate densities.
- New residential growth will take place west of Highway 49, north of Luther Road and south of Auburn Folsom Road. The Cluster Development/Open Space Private overlay has been added to many of these residential areas which allows developers to



minimize environmental impacts by clustering housing and avoiding sensitive areas.

- New commercial developments are anticipated along Auburn Folsom Road and Highway 49, with gradual redevelopment in established commercial areas.
- Continued industrial development is anticipated at the Auburn Airport Industrial Park, along Borland Avenue, and along Ophir Road in southern sphere of influence areas.
- Mixed Use Areas along Highway 49 and other main arterials will provide significant high density residential development.

The Plan would provide for a total population of a approximately 23,030 within the existing City limits and a total of approximately 51,970 residents in the combined existing City limits and proposed sphere of influence.

3. Standards for Assessment of Adverse Environmental Impacts of the Preferred Plan.

The City Council acknowledges that in many instances the adverse impacts identified in the EIR for the Preferred Plan, and for other alternatives analyzed in the EIR, may overstate the impacts most likely to be experienced in the implementation of the proposed

General plan, because they examine worst case scenarios. Those impacts may not be realized, however, because of the fact that development of the projects area will be allowed to proceed only in controlled phases, and based on the availability of adequate municipal services and facilities to meet the needs of future development that may be contemplated.

The Draft EIR addresses the impacts of each alternative according to the type of environmental resources impacted, (see pages 15-51 through 15-76). The criteria for evaluating the impacts of the various alternatives are described at the beginning of each section, and provide the basis for impact analysis and findings.

#### **4. Evaluation of Alternatives.**

The City Council evaluated the Preferred Plan and other land use alternatives in light of the economic, social, environmental, land use and cultural objectives of the City. As a result of this review, and consideration of public comments on the EIR and the proposed General Plan alternatives, and the record, and the Planning Commission's recommendations; the City Council has determined that the preferred plan in combination with Alternative 4, Mitigated Design, represents

the most balanced and prudent basis on which to proceed with planned growth in the City of Auburn during the planning period for the project and consistent with its goals and policies.

**D. PROJECT GOALS**

The major goals for the City are set forth at the beginning of each of the nine elements, together with implementation programs at the end of each element. Those goals include the following:

LAND USE ELEMENT

General

Goal 1: Guide development in a pattern that will minimize land use conflicts between adjacent land users.

Goal 2: Encourage maintaining the open rural character of the County areas beyond the City of Auburn Sphere of Influence so that Auburn is a distinct, readily identifiable foothill community. Encourage farmsteads, orchards, tree farms, grazing, and horse ranches.

Goal 3: Guide development so that it takes advantage of Auburn's unique character including, but not limited to, terrain and vegetation.

Goal 4: Enhance air quality.

Residential

Goal 5: Establish a variety of residential densities which will provide for different housing types and levels of cost.

Commercial

Goal 6: Discourage extension of strip commercial development and encourage future commercial infill development.

Goal 7: Provide a mix of commercial development to serve residents and visitors.

Industrial

Goal 8: Provide for the development of industrial areas where suitable land and services exist and with a minimum of land use conflicts.

Public

Goal 9: Develop a land use pattern which can be adequately served with community facilities (such as schools, libraries, and community recreation), urban services, and transportation facilities.

Goal 10: Establish a rate of development that allows public service providers to keep pace with growth.

Goal 11: Promote cultural activities and public art.

Goal 12: Provide for an adequate and safe educational environment.

### *CIRCULATION ELEMENT*

Goal 1: Provide and maintain a comprehensive, safe, and efficient transportation system.

Goal 2: Create a continuous, interrelated street network that is user-friendly for both vehicular and pedestrian traffic including, but not limited to, avoiding walled projects, dead end streets, and barricades.

Goal 3: Encourage transportation alternatives to the single occupant automobile.

Goal 4: Protect the public investment in the airport.

Goal 5: Provide a full range of adequate public services for all area residents and businesses.

### *HOUSING ELEMENT*

Goal 1: Provide a range of housing choices that meet the needs of all Auburn residents in terms of type, density and cost.

### *OPEN SPACE/CONSERVATION*

Goal 1: Preserve areas of natural vegetation, trees, topographic features, wildlife habitat, and riparian corridors.

Goal 2: Minimize adverse development impacts to the natural environment.

Goal 3: Identify, protect and enhance open areas and greenbelts throughout the planning area for

the protection of wildlife and for use and enjoyment by residents and visitors.

Goal 4: Provide for the conservation, utilization, and development of mineral, geologic and soil resources in keeping with sound conservation and reclamation practices.

Goal 5: Create a pedestrian and trail network to provide access to developed areas as well as public access to open space and recreation resources consistent with the need to protect these resources.

Goal 6: Protect visual resources.

Goal 7: Conserve, protect and enhance water supplies and adequately plan for the development and protection of these resources and their related resources for future generations.

#### *NOISE ELEMENT*

Goal 1: Protect City residents from the harmful and annoying effects of exposure to excessive noise.

Goal 2: Protect the economic base of the City by preventing incompatible land uses from encroaching upon existing or planned noise producing uses.

#### *SAFETY ELEMENT*

Goal 1: Protect the citizens and visitors of the Auburn area from loss of life while protecting

property and watershed resources from unwanted fires through preplanning, education, fire defense improvements, and fire suppression.

Goal 2: Protect the lives and property of the citizens of the Auburn area from unacceptable risk resulting from flood hazards.

Goal 3: Minimize hazards to public health, safety, and welfare resulting from natural and man-made hazards.

Goal 4: Protect all residents from hazardous materials and the hazards associated with transport of such materials.

Goal 5: Maintain and enhance City emergency services.

#### *ECONOMIC ELEMENT*

Goal 1: Provide a land development pattern, planning process, and regulatory atmosphere conducive to maintaining and increasing employment opportunities for City residents and fostering new economic development.

Goal 2: Enhance the City's sales tax revenues by strengthening the City's retailing and tourism to serve the needs of local residents and encouraging shoppers from outside the community.

Goal 3: Maintain and expand existing businesses.

Goal 4: Encourage tourism, conventions and development of a conference center.

*HISTORIC ELEMENT*

Goal 1: Preserve all historical sites and enhance the character of the historic districts.

**E. FINDINGS CONCERNING ALTERNATIVES**

The City reviewed the various alternatives, and applied the impact criteria and project goals in evaluating which alternative best fulfilled the goals of the revised General Plan. The reasons are summarized as follows:

**1. Rejection of No Project/No Development Alternative**

The analytical process of comparing and analyzing impacts of the preferred plan to this alternative allowed the City Council to weigh impacts attributed to the implementation of the project against a continuation of the land uses that currently exist within the project area.

The "no project" alternative was rejected as infeasible because it failed to carry out the basic project goals for the project area which evolved during the General Plan adoption process, including a stronger local economy and the need for a balance of land uses that will offer adequate residential, commercial, industrial and employment opportunities. This alternative is also inconsistent with the economic, social, environmental, and other goals which the City Council believes should



govern proposals for urban development for the City of Auburn. As a "no development" alternative, it is inconsistent with prior determinations made by the City Council in the existing General Plan and fails to provide a means of addressing inevitable growth in the Auburn vicinity. The City Council believes that it is infeasible to significantly alter the underlying goals and policies of this General Plan update and to roll back all developments to the level existing at the end of 1992.

Therefore, this alternative has been included primarily for a comparison with the various alternatives for addressing growth in the City.

2. Rejection of No Project/Existing Plan Alternative

The existing General Plan alternative is rejected for a number of reasons. First, it also fails to substantially carry out the project goals for balanced land use between residential, commercial, and industrial uses along with provisions for open space. Compared to estimated needs for the year 2012 the existing General Plan provides for greater urbanization than the preferred plan. This alternative would increase the degree of urbanization (defined as all commercial and industrial designations, plus residential lots of less than two acres in size) within

the City limits (83% as compared to 70% under the preferred plan, see DEIR page 15-23).

The existing General Plan fails to identify appropriate goals and implementation measures to adequately address future development, with open space provisions, both in a local and regional context.

The existing General Plan was prepared in the late 1970's. The City of Auburn and surrounding unincorporated area have experienced significant growth with rapid growth patterns in various parts of the planning area. This has caused the existing General Plan to be outdated.

To the extent that any environmental impacts might be less under the existing General Plan than the preferred plan, that alternative is rejected for the reasons stated above and in the Statement of Overriding Considerations, and for not meeting the goals and policies of the revised General Plan.

### 3. Rejection of Alternative 1

Alternative 1 was rejected as infeasible for a number of reasons. The City's goal of providing an adequate housing mix 20-24% multi-family and 76-80% single family, would not be met with this alternative. This alternative would provide for only 7% multi-family within the City and 11% within the sphere. Targets would not be met and as a result impacts would be

significant and potentially unmitigable (DEIR page 15-29).

This alternative also presented incompatible land uses with higher densities than under the preferred plan. The degree of urbanization would be increased slightly under this alternative (57% as opposed to 52% under the preferred plan). Within the City limits the level of urbanization is increased (78% vs 70% preferred plan).

Taken as a whole, the balance of land uses proposed in Alternative 1 is inconsistent with the project goals which emphasize a compact central city and phasing new development to correlate with new growth (see General Plan pages IV-2 through IV-5).

Because this alternative will not meet the City's basic goals for low-income housing, in addition to other goals as discussed above, and based on the reasons in the Statement of Overriding Considerations, it was rejected as infeasible and not meeting the primary goals and policies of the General Plan.

#### 4. Rejection of Alternative 2

As noted under Alternative 1, this alternative would so not meet the City's targeted housing mix of providing 20-24% multi-family units. This alternative would provide 9% of total dwelling units in this category for the full Plan area and 11% within the City

limits. Targets would not be met and as a result impacts would be significant and unmitigable. Impacts are expected to be less than significant under the preferred plan. The degree of urbanization would increase significantly for all Plan areas under this alternative. Within the City limits urbanization would increase from 70% (preferred plan) to 78% for this alternative. Within the sphere urbanization would increase from 57% (preferred plan) to 66% for this alternative. Overall urbanization would be much higher (70% vs 52%) for this alternative than under the preferred plan (DEIR page 15- 44).

For these reasons, and for the reasons set forth in the Statement of Overriding Considerations, Alternative 2 is rejected as infeasible and not meeting the basic goals and policies of the General Plan.

5. Rejection of Alternative 3

This alternative is similar to Alternative 2 in the sphere of influence but adds additional density within the existing City limits. The degree of urbanization would be highest under this alternative, increased to 78% overall, as compared to 52% for the preferred plan. Within the City limits urbanization would be increased by 84% from 70% under the preferred plan; within the sphere urbanization would increase from 57% (preferred plan) to 75%. This alternative can be expected to

result in significant and unmitigable impacts and would be more impacting than the preferred plan (DEIR pages 15-46 through 15-49).

Alternative 3 contrasts with most other alternatives in having unacceptable levels of service on the various arterials evaluated as well as Highway 49. The Travel Demand Forecasts contained in the General Plan show levels of service of E and F on all of the alternatives evaluated except Nevada Street. This increase in trip generation is over four times that projected for the existing plan, this increase and the lack of a comprehensive road improvements program makes it clear that Alternative 3 would cause significant and unmitigable traffic impacts (including quality of life and road improvement impacts, DEIR pages 15-46 through 15-49).

6. Rejection Alternative 4

Under this alternative the City's targeted housing mix of 20-24% multi-family would not be met. This alternative would provide for 10.7% of total dwelling units for this category for the full plan area and 26.9% within the City limits (DEIR page 15-53).

A number of the recommendations provided for in this alternative were combined with the Citizens Committee proposed plan by the Planning Commission and City Council in finalizing the preferred plan. These

included reducing densities in the Mt. Vernon Road area, adding the CD/OSP overlay to a significant number of areas including combining it with commercial and industrial (which was not originally proposed).

Additional provisions were added to create a new "Commercial/Office" designation and an "Open Space Fairgrounds" designation.

This alternative, taken alone, was rejected based on not meeting the basic goals and policies of the General Plan.

7. Rejection of Alternative 5

This alternative assumes no additions to the City's Sphere of Influence, proposed County designations would guide these areas. This alternative was rejected as the City Council determined at the beginning of this General Plan update that the sphere of influence would be expanded to include those areas around the City owned Waste Water Treatment Plant and the Auburn Airport and Auburn Airport Industrial Park. Therefore, the Plan area for the General Plan was expanded to include the proposed expanded sphere of influence area. While there are some lower densities of residential use in the new sphere of influence under this alternative, the extent of high traffic generating commercial land uses is more than double that of commercial uses under the preferred plan. Traffic impacts of Alternative 5

will consequently be noticeably higher than those of the preferred plan in the proposed sphere addition (DEIR page 15-60).

For these reasons, and because of the reasons given in the Statement of Overriding Considerations this alternative is rejected as infeasible and not meeting the basic goals and policies of the General Plan.

#### **8. Rejection of Alternative 6**

This alternative assumes no annexations to the City and thus use of county land use designations throughout the entire existing and proposed sphere of influence. This alternative was rejected for those reasons noted in the Alternative 5 discussion as well as the fact that under the county plan a greater degree of commercial development west of the airport is proposed where the City proposes largely industrial designations. The commercial designations have a greater potential for airport land use compatibility conflicts. Although, it is stated that such conflicts would be minimized by the county implementation of the Airport Comprehensive Land Use Plan (CLUP), the City has no control over the county Board of Supervisors taking overriding actions by a 4/5 vote.

The overall degree of urbanization is higher for this alternative (54% as compared to 52% for the preferred plan). The overall trip generation estimated via air

quality analysis for this alternative is the highest of any of the alternatives evaluated, including the preferred plan. Unacceptable levels of service are predicted on Highway 49 within the sphere of influence and at intersections within the City of Auburn, even with a county proposed set of improvements in the sphere. A further complication raised by this alternative is that, without annexations, revenues to the City may not keep pace with rising demands upon the City's street system. The significance of this potential impact is underscored by the relatively large percentage of sampled City intersections which are impacted (72% for the City vs 30% for the county) as well as the fact that these impacted intersections within the City are not confined to Highway 49 as is the case in the sphere. The downtown street system impacts of this alternative are considered unmitigable (DEIR pages 15-61 through 15-68).

For these reasons, and because of the reasons given in the Statement of Overriding Considerations, this alternative is rejected as infeasible and not meeting the basic goals and policies of the General Plan.

**F. FINDINGS CONCERNING THE SIGNIFICANT ADVERSE IMPACTS WHICH CAN BE MITIGATED.**

In the following sections, the City Council makes findings concerning the potentially significant adverse impacts which



have been identified in the EIR for both the City limits and unincorporated area. These findings also reference mitigation measures proposed in the EIR and the socio-economic or other considerations which make the imposition of some mitigation measures infeasible.

1. Land Use

Reference is made to final EIR pages 15-21 which identify potentially significant impacts related to housing mix and land use compatibility.

Finding: Pursuant to the required mitigation measures changes and alterations were made to the Housing Element (see Implementation Measures K smaller homes, L innovative concepts, and G mixed income projects) to provide for a better housing mix. In addition, a number of land use designations were changed. Specifically, densities in the Mt. Vernon Road area were reduced; Commercial Office and Open Space Fairgrounds designations were included and utilized; and the CD/OSP overlay was added to a significant number of properties having residential, commercial and industrial land use designations (except where noted under the Statement of Overriding Considerations). These changes and alterations have been required or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

## 2. Visual

Reference is made to final EIR pages 22-24 which identify potentially significant impacts related to streams and riparian areas; scenic corridors within the City limits; and viewshed of the Russell Road off ramp.

Finding: Pursuant to the required mitigation measures changes and alterations were made to include CD/OSP in many areas to provide protection for streams and riparian areas. In addition reference to the constraints maps was included on the Land Use map and Land Use Element Table IV-4 Densities and Intensities for Land Use Designations; and the Open Space/Conservation Element includes Goal 1, policies 1.1, 1.4, and 1.7 which all provide protection. Scenic corridors are specifically identified in the Open Space/Conservation Element which also includes Implementation G requiring a new zoning ordinance protecting visual resources. Recommendations in the EIR will be used as a guide for preparation of a scenic corridor ordinance.

The land use designation near the Russell Road off ramp was changed to Commercial Office to provide better protection and Open Space/Conservation Element Implementation A Tree Ordinance preparation is required.

These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

3. Geology/Landforms

Reference is made to final EIR pages 25-31 which identify potentially significant impacts related to erosion, seismic hazards, and landsliding potential.

Finding: Pursuant to the required mitigation measures changes and alterations were made to include the EIR revisions proposed as criteria for upgrading the grading ordinance to minimize erosion impacts.

The Safety Element includes Implementation J regarding building construction and the Land Use Element includes Implementation B requiring a Hillside Development Ordinance.

These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

4. Hydrology/Water Quality

Reference is made to final EIR pages 32-35 which identifies potentially significant impacts related to proposed bridge and culvert improvements; increases in stormwater runoff and flooding on canals; impacts of detention facilities; degradation of surface water

(generally); and impacts of recommended water quality protection facilities.

Finding: Pursuant to the required mitigation measures changes and alterations were made including Open Space/Conservation Element Implementation C requirement for stream, canal and waterway protection ordinance and use of EIR recommendations for guidelines during specific project environmental review process. Other implementation measures include Open Space/Conservation Element Implementation D Habitat Protection Ordinance; Goal 7 and policies 7.1 through 7.6 addressing water quality, conservation and natural habitats. These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

5. Biotic Resources

Reference is made to final EIR pages 36-41 which identify potentially significant impacts related to riparian habitat and specific natural communities.

Finding: Pursuant to the required mitigation measures changes and alterations were made to include the CD/OSP overlay on EIR recommended areas having residential, commercial and industrial designations (except where noted under Statement of Overriding Considerations). Reference to constraints maps was included on the Land

Use Map and Land Use Element Table IV-4 Densities and Intensities for Land Use Designations. The Open Space/Conservation Element also includes Goal 1, policies 1.1, 1.4 and 1.7 regarding protection of natural communities. EIR recommendations will be used as criteria for preparation of a Tree Protection Ordinance (Open Space/Conservation Element Implementation A).

These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

#### 6. Public Facilities

Reference is made to final EIR pages 50-58 which identified potentially significant impacts relating to: Ackerman School District, Auburn Union School District, and Placer Union High School District facility financing; increased demand of parks and recreation; installation of new sewer, water, and power lines; expansion of the City's Waste Water Treatment Plant; impacts to the county's sewer maintenance district 1; and wildland fire hazards.

Findings: Pursuant to the required mitigation measures changes and alterations were made to include the following: Land Use Element policy 12.11 regarding school district masterplans (including funding

scenarios) and inclusion of said plans as part of General Plan "Supporting Documents" and "Masterplans/Specific Plans"; and inclusion of updated school site locations on the Land Use map.

The City is working with the Auburn Recreation District on district masterplan and financing mechanisms and will require all residential land uses to participate (multi-family as well as single family).

Included Land Use Element policy 9.1 regarding service provisions, Implementation D establish a landscape and lighting district, and reference the Waste Water Treatment Plant Masterplan as part of the "Masterplans/Specific Plans" to be implemented as part of the General Plan.

Included Safety Element policies 1.2, 3.4, 5.1, 5.2, and 5.4 dealing with fire safety and adequate water supplies. Existing and proposed fire stations added to Land Use map.

These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

#### 7. Noise

Reference is made to final EIR page 49 which identifies potentially significant impacts related to airport noise, future receptors.

Finding: Pursuant to required mitigation measures changes and alterations were made to include reference to all constraints maps on the Land Use map and Land Use Element Table IV-4 Densities and Intensities for Land Use Designations. Land Use designations for the areas surrounding the airport were established which include residential densities not exceeding one dwelling unit per two acres and the addition of the CD/OSP overlay to commercial and industrial land use designations in the airport area.

These changes and alterations have been required in or incorporated into the project which avoids or substantially lessens the significant environmental effect as identified in the final EIR.

**G. FINDINGS ON PROPOSED MITIGATION**

The City Council finds that the mitigation measures specified in these findings, which are incorporated where referenced as part of the General Plan, are appropriate and feasible and will substantially lessen, if not eliminate the identified potential adverse environmental impacts discussed in the EIR.

The City Council finds that the adoption of specific mitigation measures identified in these findings of fact will have a cumulative effect of lessening if not eliminating, adverse cumulative environmental impacts that would arise from the implementation of the proposed General

Plan and preferred plan in the absence of such mitigation measures.

## II. STATEMENT OF OVERRIDING CONSIDERATIONS

### A. REASONS FOR APPROVING PROPOSED GENERAL PLAN

Notwithstanding the disclosure of the significant impacts and their mitigation described on previous pages the City Council has determined pursuant to Section 15093 of the State CEQA Guidelines, that the benefits of the proposed project outweigh the adverse impacts, and therefore the project should be approved. The City Council has balanced the benefits of implementing the proposed General Plan and the preferred alternative land use plan in particular, against the adverse impacts identified in the EIR.

Accordingly, the City Council finds that the proposed General Plan should be approved based on the preferred alternative mix of land uses.

The City Council finds that there are specific social, economic, and other reasons for approving this project, notwithstanding the disclosure of significant adverse impacts as have been disclosed in the final EIR. Those reasons are as follows:

#### 1. Social Considerations.

The record of these proceedings contains substantial evidence that the implementation of the proposed General Plan provides the City with a mechanism to further social goals that have been adopted by the City



Council. In an attempt to retain and enhance Auburn's quality of life, separate identity and sense of community, while comprehensively addressing Auburn's future development issues on the basis of community wide needs, the proposed General Plan provides various social benefits to the future of the Auburn community, including but not limited to the following:

**a. Affordable housing.**

The proportion of single-family to multi-family units as percentages of total residential acreage in the Preferred plan, will achieve the City's target for multi-family unit of approximately 24%. A plan with a lower percentage of multi-family units could impede the City's efforts to provide adequate affordable housing. Development under the General Plan as a whole will provide a needed housing resource to meet the demand of the growing population of the Auburn area, thereby helping to lessen the upward pressure on housing costs. The preferred plan will increase the supply of affordable housing in the City of Auburn as well as increasing the overall supply of available housing, both of which are needed in the Auburn area.

**b. Employment.**

The EIR also identifies the fact that employment opportunities with the City would be increased by the implementation of the proposed General Plan. Approximately 3,000 additional jobs would result in build-out in the Auburn community through employment generating land uses indicated in the project area under the preferred plan versus the existing plan. This expansion of the area's employment base, which will provide increased job opportunities for area residents and enable Auburn to otherwise economically benefit from regional growth, represents a beneficial result of the proposed General Plan implementation.

**c. Scenic and Cultural Resources.**

The proposed General Plan would preserve and promote enhancement of various scenic and historic sites throughout the City and plan area. Restoration and maintenance of historic buildings and sites will occur under the proposed General Plan. Additionally, strict project compliance with the preferred plan will include special designations for the historic Old Town and Downtown commercial areas which would require special review prior to development in these areas. In addition, all structures within the 1948 city limits boundaries will undergo a public

hearing process prior to demolition. Strict project by project compliance with these controls will be enforced, resulting in protection of the historic districts and structures. The scenic vistas in the Auburn vicinity will be protected by adoption and implementation of scenic corridor guidelines, hillside development ordinance, tree ordinance, and other policies and implementation measures adopted in the General Plan.

d. **Open Space and Conservation.**

By adoption of the Open Space and Conservation element of the proposed General Plan, the number of acres within the City and plan area devoted to open space use and parks and recreation will increase. The use of the CD/OSP overlay designation over much of the City and plan area will increase due to the use of Planned Unit Developments which encourage and require open space as part of a specific project. This will increase the overall open space acreages by setting aside lands now designated for residential, commercial and industrial uses. The City Council has balanced these social considerations against unavoidable environmental risks identified in the EIR, particularly those relating to land use (growth inducing impacts);

visual character; geology (land form disturbance); hydrology/water quality; biotic resources; air quality; cultural resources; traffic/circulation; noise; and public facilities issues; and the City Council has concluded that the social benefits which will be derived from the implementation of the proposed General Plan and preferred land use plan, outweigh the unavoidable environmental risks.

2. Economic considerations.

Substantial evidence is included in the record, particularly in the Draft EIR and source documents for the DEIR, which demonstrate the economic benefits which the City would derive from the implementation of the proposed General Plan. In attempting to provide for a balanced mix of various land uses for the future growth in the City of Auburn, various goals and policies were identified in the planning process to guide the revisions of the General Plan. Among these various goals and policies was the need to provide for a commercial and industrial base in the City which would encourage a strong tax base, provide more employment opportunities, enable community access to a greater variety of goods and services, and result in related economic benefits, without creating an oversupply that would result in a bedroom community and its associated

negative effects, while maintaining Auburn as a distinct, readily identifiable foothill community. The preferred plan, chosen by the City Council, would advance this important goal of a strengthened and diversified local economy with a variety of housing opportunities while maintaining its foothill character. Auburn's current housing supply and economic base are limited because of the large urban communities to the north and east of the City, and the loss of retail sales to those areas. An analysis of the housing supply, which is in the higher income price levels, and the available jobs, which are primarily in retail/commercial services which are low paying indicates a great disparity in match or balance. With consideration to the area's job/housing ratio of 0.93:1, indicating that there are slightly less than one job for each household within the area, it is evident that at least two workers must reside in each housing unit, or that workers spend more than 30% of their wages on rent or mortgage payments, or that workers are living outside the area. Also evident is that the average multi-family unit would not be within the economic means of the average single wage household. Only a small percentage of the available jobs within the institutional, industrial, and office categories can be assumed to provide jobholders with

adequate earnings to afford the average single family residential unit, even considering the dual-wage advantage of most of today's families.

As a result, the City Council has made a balanced land use mix, with an emphasis on providing a variety of housing types and increase in commercial office and industrial land uses high priorities. The preferred plan will achieve these purposes.

The City Council has balanced these housing and economic considerations against unavoidable environmental risks identified in the EIR, particularly those relating to land use (growth inducing); visual character; geology (land form disturbance); hydrology/water quality; biotic resources; air quality; cultural resources; traffic/circulation; noise; and public facilities issues; and the City Council has concluded that the housing and economic benefits which will be derived from the implementation of the proposed General Plan and preferred land use plan, outweigh the unavoidable environmental risks.

3. Environmental and Land Use considerations.

Substantial evidence is included in the record of these proceedings that the implementation of the proposed General Plan will have both beneficial and potentially adverse impacts relating to environmental and land use considerations.

There are three specific properties which require statements of overriding considerations for the land use designation adopted per the Land Use map.

The first property is known as the "Placer Savings Southridge" parcel located on the southeast corner of the Auburn Folsom Road/Maidu Drive intersection. The City Council designated this currently (November 1993) undeveloped parcel as Commercial. The EIR recommended either a 200 foot commercial strip with remaining Open Space or the addition of the CD/OSP overlay to the Commercial designation. The City Council did not chose either option. The City Council finds that the subject parcel is part of a previously approved Planned Unit Development for the Southridge project; commercially designated lands are needed in the south Auburn area; concerns noted in the EIR relating to vegetation protection and terrain concerns will be addressed during the specific environmental review of a specific project; that a future project will be designed with buffers, tree preservation, and grading conditions which will alleviate impacts; and that the past performance of the Southridge project in preserving open space, providing a mixture of single family and multi-family (condominiums) units in one neighborhood; and providing recreational amenities will be applied to

future projects thus overcoming and alleviating future potential environmental impacts.

The second property is known as the "Chevreaux Concrete Plant" located near the intersection of Marguerite Mine Road and Highway 49. This property includes an existing (November 1993) gravel plant operation with some undeveloped areas. The City Council designated a majority of the area as Industrial with the remainder ULDR four dwelling units per acre. The EIR recommended the CD/OSP overlay in order to alleviate the potential for large structures and further disturbance of the slopes. The City Council did not adopt this recommendation. The City Council finds that the majority of the area has been previously disturbed; is presently developed as an operating gravel plant; any further expansion will undergo specific environmental review; continued employment base contributes beneficially to the area's economy; and the adoption of Implementation measures requiring a Hillside Development ordinance and Tree Protection ordinance will alleviate potential future environmental impacts. The third property is located adjacent to and south of Aeolia Drive, generally between Aeolia Drive and Highway 49. The Citizens Committee, Planning Commission and EIR all concurred with a land use designation of one dwelling unit per acre with the



CD/OSP overlay. The City Council did not agree with this recommendation and designated the property four dwelling units per acre without the CD/OSP overlay. The Council finds that by completing implementation measures requiring an upgraded Grading ordinance, and drafting of Hillside Development and Tree Preservation ordinances that the environmental impacts will be mitigated.

The City Council finds that adoption and implementation of the preferred plan as the Land Use Plan for the proposed General Plan will best promote the identified planning policies in the face of growth pressures from unincorporated areas in Placer County and on a regional basis from Nevada and El Dorado Counties. The City Council further finds that the proposed General Plan will result in orderly future growth as a result of phased development requirements consistent with the financing and availability of necessary municipal services and facilities.

It has become increasingly apparent that regional growth influences will require the City of Auburn to take affirmative planning steps that will allow the City both to protect the unique qualities of our community and to permit controlled growth to the extent that growth of services and facilities can be provided for such development. The preferred plan reaffirms

this policy, and establishes detailed implementation programs for the City which will both preserve the integrity of the City and promote the balance of community interests addressed in the General Plan for future planning.

The City Council believes that existing natural resources and community attributes can only be protected and enhanced by preventing uncoordinated growth to occur and by avoiding a piecemeal approach to urban planning for the project area. The adoption and implementation of the proposed General Plan and preferred alternative land use plan will result in comprehensive advanced planning for the development of a balanced urban community with the region. The result will be a wide variety of housing types, improved employment opportunities, strengthened commercial and business use, and strong open space/sensitive habitat protection. For example the comprehensive planning for the proposed General Plan has included a mixed use designation encouraging joint commercial/multi-family residential projects and the CD/OSP overlay designation to provide and protect the existing natural resources. Substantial evidence is contained in the record to suggest that various impacts associated with growth throughout the plan area has and will continue to directly affect the environmental setting within the

City of Auburn as the City plans for future growth. This is particularly apparent with respect to traffic impacts, air quality impacts, and visual character impacts.

It is apparent that regional growth has not occurred, and will not occur in the future, without significant environmental consequences over which the City of Auburn has little control. However, to the extent that the City can influence regional planning needs, the proposed General Plan provides specific implementation measures to take affirmative actions in that regard. The City Council has considered the environmental impacts identified in the EIR as unavoidable and irreversible, and it has concluded that with all environmental tradeoffs of the proposed General Plan taken into account, the net positive environmental impacts which will result from the implementation of the General Plan and preferred alternative land use plan outweigh the irreversible impacts resulting from the implementation of the Plan within the project area. The City Council believes that the economic, social, and environmental benefits which will be derived from the implementation of the proposed General Plan and preferred alternative land use plan, when weighed against the inherent uncertainties affecting the future growth in and around the City under the existing

General Plan, override the unavoidable and irreversible environmental impacts of the proposed General Plan as identified above.

**B. CONCLUSION**

In conclusion, the City Council has determined that any remaining effects on the environment attributable to the proposed General Plan which are found to be unavoidable in the preceding Findings of Fact are acceptable due to the overriding concerns set forth in Section 1 of this Statement of Overriding Considerations. The Council has concluded that with all environmental trade-offs the proposed General Plan and preferred alternative land use plan represent a net positive impact on the environment of the City of Auburn.